srp.

HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7167 OF 2007.

Vikas Tl Kate and others. ..Petitioners.

V E R S U S

The State of Maharashtra & others. ..Respondents.

Mr. S. S. Kanetkar for the petitioner.

Mr. A. H. Palekar A.G.P. for the State.

CORAM: S. B. MHASE & D.G.KARNIK,JJ.

DATE: SEPTEMBER 26, 2007.

P.C.

1. Heard.

2. By this petition the petitioner challenges the G.R. dated 16th August 2007 regarding the seniority of the teacher and their transfers.

3. By a notification dated 7th July 1999, 38 villages within the area of Zilla Parishad, Pune were included into the limits of the Pune Municipal Corporation. Subsequently by a resolution / notification dated 17th November 2001, out of the said 38 villages, 15 villages and some parts of 5 villages were deleted from the limits of the Pune Municipal Corporation and reincluded in the limits of the Zilla Parishad, Pune . Due to this, services of the

teachers in Zilla Parishad Schools were first transferred to the Pune Corporation and subsequently were required to be transferred to the Zilla Parishad on the villages being re-transferred to the Zilla Parishad. The impugned G.R. was issued to maintain seniority of the teachers whose services were transferred to municipal corporation and for transferring the junior teachers to the Zilla Parishad. In our opinion this is an administrative decision which is not shown to have been taken with any malafide intention. No procedural irregularity is pointed out in the said decision. This is a matter regarding the policy in which the Court cannot interfere. Therefore, petition is rejected summarily.

(D.G.KARNIK, J.) **(S.B.MHASE, J.)**